



## Newtown Creek Superfund Site

### Similarities and differences between CERCLA and CWA roles at Newtown Creek

August 15, 2017





# Involved Parties and Regulatory Authorities

- CERCLA
  - EPA ERRD
  - NYSDEC Division of Environmental Remediation
  - NCG
  - NYCDEP
  - NOAA/USFWS
- CWA
  - NYSDEC Division of Water
  - NYCDEP
  - EPA CWD
  - EPA DECA



## Program Goals and End Points

- CERCLA
  - To determine the nature and extent of contamination and any threat to the public health, welfare, or the environment caused by the release or threatened release of hazardous substances, pollutants or contaminants at or from the Site
  - To identify and evaluate remedial alternatives to prevent, mitigate or otherwise respond to or address the release or threatened release of hazardous substances, pollutants, or contaminants at or from the Site



## Program Goals and End Points - Cont.

- CWA
  - NYCDEP is required to submit 10 waterbody-specific LTCPs and one citywide LTCP to NYSDEC for review and approval, by 2018
    - Newtown Creek LTCP is ninth of these LTCPs, has been submitted, and is currently under review by NYSDEC
  - Goal of each LTCP is to identify, with public input, appropriate CSO controls necessary to achieve waterbody-specific water quality standards (WQS) consistent with Federal CSO Control Policy and related guidance
  - In NYS, CWA regulatory and permitting authority has been delegated to NYSDEC
    - NYCDEP's LTCP development is driven by a series of consent orders, which began in the 1970s



# Program Processes Discussion

- CERCLA
  - Remedial Investigation (RI)
  - Feasibility Study (FS)
  - Proposed Plan (PRAP)
  - Record of Decision (ROD)
- CWA



## Program Timelines

- CERCLA (based on most recent schedule)
  - RI estimated completion 2018
    - includes hydrodynamic and sediment transport models
  - FS estimated completion 2020
    - includes contaminant fate & transport and bioaccumulation models
  - ROD estimated completion 2021



## Program Timelines - Cont.

- CWA Borden Avenue Pumping Station Implementation Schedule

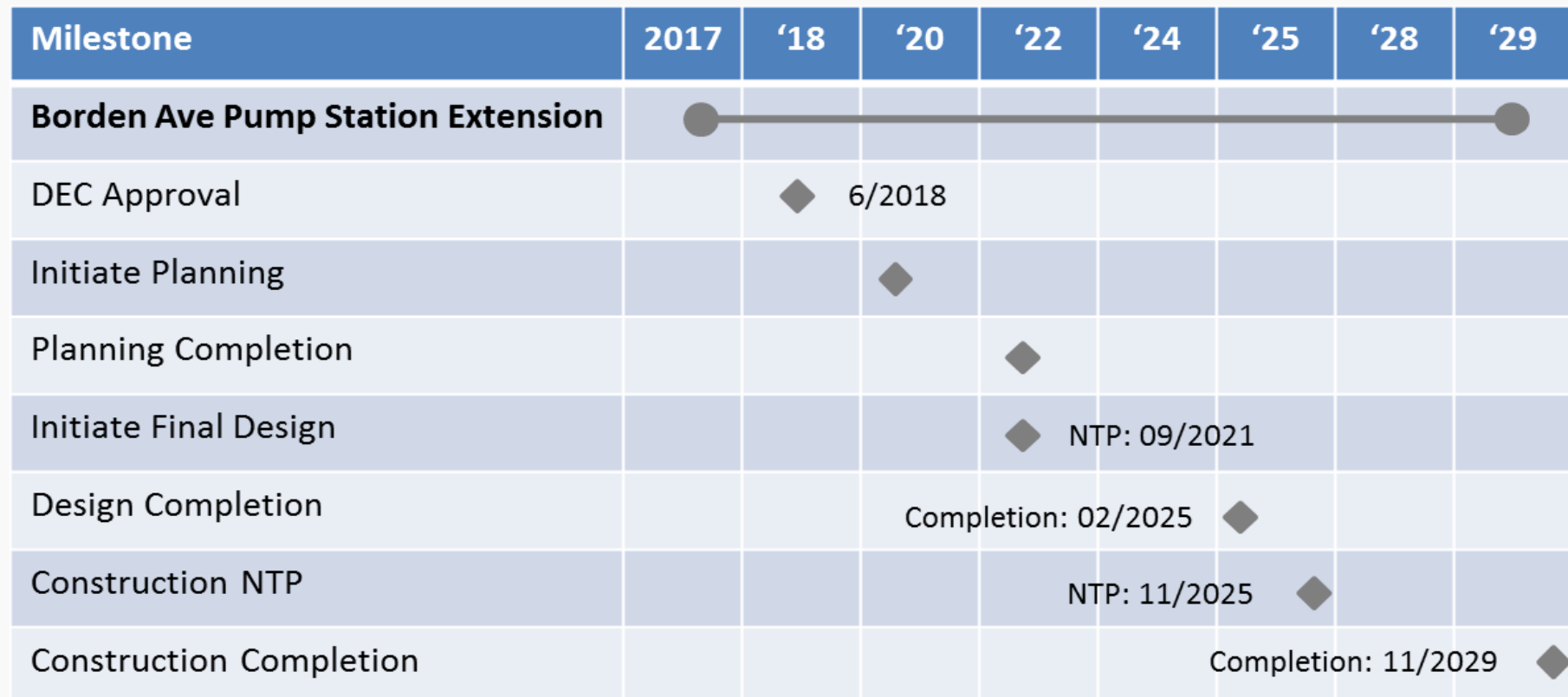


Figure 91 from CSO LTCP plan. Borden Avenue Pumping Station Implementation Schedule



# Program Timelines - Cont.

- CWA Tunnel Implementation Schedule

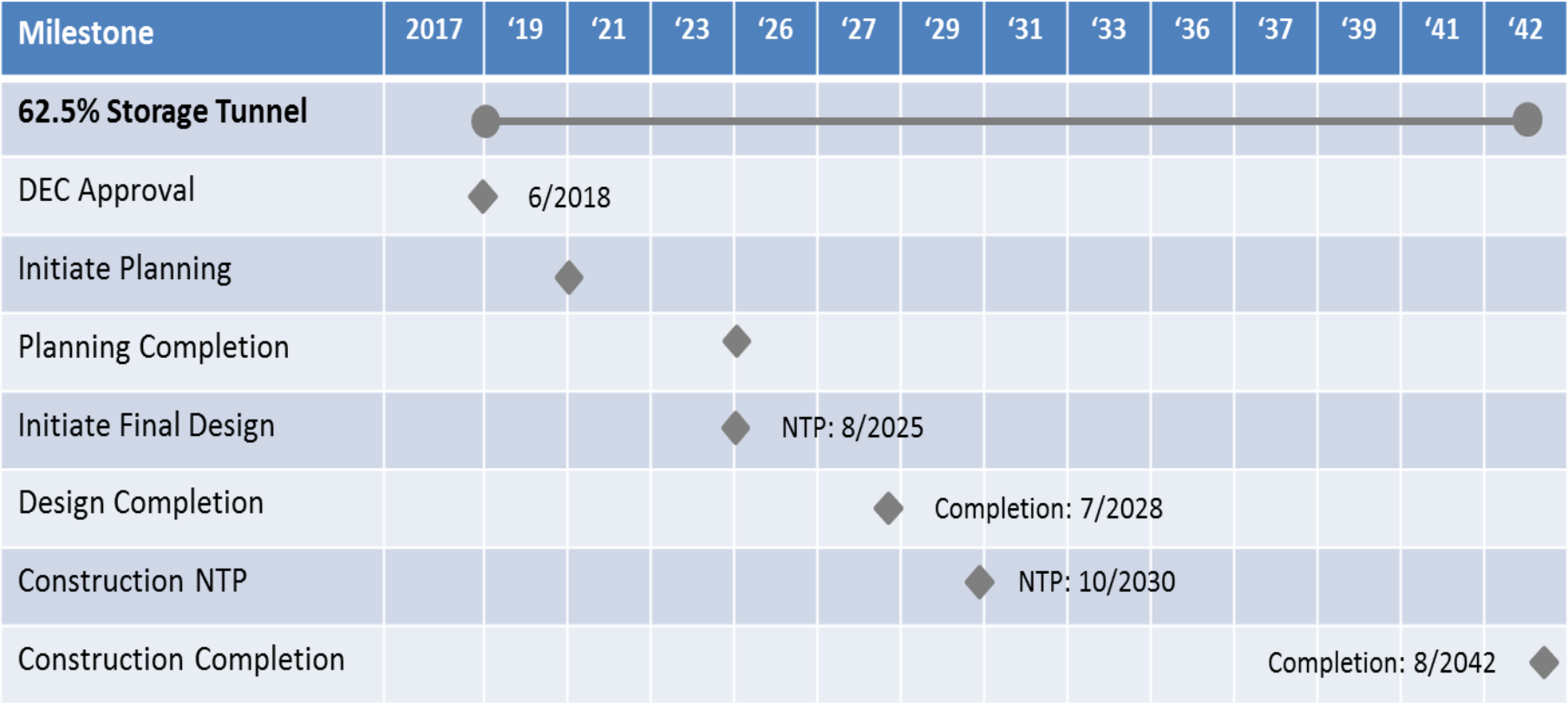


Figure 9-2 from CSO LTCP plan. Newtown Creek LTCP Tunnel Implementation Schedule





# Program Data Needs Discussion

- CERCLA
- CWA



## Existing Issues between CERCLA and CWA

- *Open group discussion*